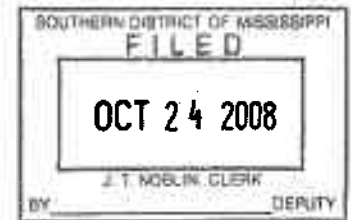


IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION



ANGIE BRIDGES

PLAINTIFF

VS.

CIVIL ACTION NO. 1:08CV1357 LG-RHW

LIBERTY MUTUAL FIRE INSURANCE COMPANY

DEFENDANT

**NOTICE OF REMOVAL**

COMES NOW the Defendant, Liberty Mutual Fire Insurance Company ("Liberty" or "Defendant"), and files its Notice of Removal hereby removing this action from the Circuit Court of Jackson County, Mississippi, to the United States District Court for the Southern District of Mississippi, Southern Division. In support thereof Defendant would allege and show as follows:

1. This is a civil action brought by Angie Bridges against the Defendant in the Circuit Court of Jackson County, Mississippi, bearing Civil Action No. 2008-00,350(2), seeking a recovery from the Defendant, as appears from the Plaintiff's Complaint. Process was served on the Defendant on September 26, 2008, and this case first became removable to this Court at that time.

2. This cause now pending against the Defendant is a suit of a civil nature wherein the matter in controversy, exclusive of interest and costs, exceeds the sum of \$75,000.00. Although the Plaintiff does not specify a total demand in her Complaint, it is facially apparent from the allegations of the Complaint and the nature of the claims asserted against Defendant under Mississippi law, particularly the

Plaintiff's claim for punitive damages, that the amount in controversy exceeds the amount required for diversity jurisdiction.

3. This action involves a controversy between citizens of different states, Liberty Mutual Fire Insurance Company, being a corporation created and existing pursuant to the laws of the State of Wisconsin and having its principal place of business in Boston, Massachusetts, and the Plaintiff being a citizen of the State of Mississippi. Diversity of citizenship existed between the Plaintiff and Defendant at the time this case was commenced by the Plaintiff and at the time of service of process herein.

4. The civil action filed by the Plaintiff in the Circuit Court of Jackson, County, Mississippi is one of which the District Courts of the United States have original jurisdiction pursuant to 28 U.S.C. § 1332. Therefore, this action may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. § 1441.

5. The United States District Court for the Southern District of Mississippi and the Southern Division of said Court are the District and Division embracing the place wherein the aforesaid state court action is pending.

6. This Notice of Removal is being filed pursuant to 28 U.S.C. § 1446(b) within thirty days of the date that the Complaint was served on the Defendant. Attached hereto as Exhibit "A" is a true and correct copy of all pleadings, processes with returns thereon, and orders and papers received by Defendant from which it may be ascertained that this case is one which is or has become removable to this Court


in full compliance with the laws of the United States. A true and correct certified copy of the entire state court file has been requested from the Circuit Clerk of Jackson County, Mississippi and will be filed upon receipt by the undersigned counsel for Defendant.

7. Defendant will give written notice of the filing of this Notice of Removal to the Plaintiff, and a true and correct copy of this Notice will be duly filed with the Clerk of the Circuit Court of Jackson County, Mississippi, as required by 28 U.S.C. §1446(e).

WHEREFORE, Defendant, Liberty Mutual Fire Insurance Company, requests this Court to proceed with the handling of this case as if it had been originally filed herein, and that further proceedings in the Circuit Court of Jackson County, Mississippi, be hereby stayed.

Respectfully submitted,

LIBERTY MUTUAL FIRE INSURANCE  
COMPANY

By:   
Ford Bailey (MS Bar No. 16867)  
Its Attorney

OF COUNSEL:

WELLS MARBLE & HURST, PLLC  
Post Office Box 131  
Jackson, Mississippi 39205-0131  
300 Concourse Blvd., Suite 200  
Ridgeland, Mississippi 39157  
Telephone: (601) 605-6900  
Facsimile: (601) 605-6901

**CERTIFICATE OF SERVICE**

I, Ford Bailey, do hereby certify that I have this day caused a true and correct copy of the above and foregoing Notice of Removal to be served by United States mail, postage prepaid, on the following:

Joe W. Martin, Jr.  
P. O. Box 998  
Pascagoula, MS 39568

CIRCUIT CLERK OF JACKSON COUNTY,  
MISSISSIPPI

Chuck McRae, Esq.  
P. O. Box 33  
Jackson, MS 39205

ATTORNEY FOR PLAINTIFF

This the 23<sup>rd</sup> day of October, 2008.



Ford Bailey